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oned as part of the period required by statute to constitute desertion and thus allowed the offender as a *locus paenitentiae*. *Kirkpatrick v. Kirkpatrick, supra*; *Storrs v. Storrs*, 68 N. H. 118, 34 Atl. 672; *Blandy v. Blandy*, 20 App. D. C. 535.

Insanity at the time of the commission of the acts constituting the alleged ground for divorce is a full defense. *Broadstreet v. Broadstreet*, 7 Mass. 474. Cruel and inhuman treatment do not warrant a divorce when such treatment is the result of insanity. *Tiffany v. Tiffany*, 84 Iowa 122, 50 N. W. 554. Failure by a husband to provide for and support his wife is not a ground for divorce, though made so by statute, where such failure arises from insanity. *Baker v. Baker*, 82 Ind. 146.

The decision in the instant case seems to be based on sound principles of judicial logic, and is in accord with the weight of authority on the subject.

EVIDENCE—PERJURED TESTIMONY—PRIVILEGE.—The defendant gave evidence before a grand jury, and upon this evidence an indictment was found against the plaintiff. The evidence in question was false and was known by the defendant, when he gave it, to be false. The accused was acquitted of the charge, and later brought an action of malicious prosecution against the defendant. The question arose as to whether the false testimony was privileged. *Held*, it is not privileged. *Kintz v. Harriger* (Ohio), 124 N. E. 168. See Notes, p. 120.

MASTER AND SERVANT—WORKMEN'S COMPENSATION ACT—RELEASE OF CLAIM.—A stone mason, in the course of his employment by a granite company, had lime splashed into his eyes. The injury which followed necessitated the removal of one eye; and a settlement for compensation was made by the workmen with his employer and the insurer of the employer, on the mutual assumption that he was entitled to compensation for the loss of only one eye. A release of all further claims against his employer and the insurer was executed by the employee on the same assumption. Later, it developed that the workman's other eye had been severely burnt. An action was brought, under the State Workmen's Compensation Act, for compensation for this further injury. *Held*, the previous release constitutes no bar to the action. *Zimken v. Melrose Granite Co.* (Minn.), 173 N. W. 857.

Workmen's Compensation Acts, as a rule, encourage agreements between employers and employees dealing with compensation for injuries arising from accidents. It is usually provided that such agreements must be filed with, and approved by, the Industrial Accident Boards created by the Acts before becoming final, and that no agreement by an injured employee to waive his rights to compensation under the Act shall be regarded as valid.

Where the widow of an employee of a creamery company made an agreement with the creamery company and its insurer, whereby she was to sue, for the death of her husband, the concern whose motor truck collided with the creamery company's wagon and caused his death, and that if what she recovered should exceed the statutory